

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

DOCKET:  
TUC920030145US1

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

## METHOD, SYSTEM, AND PROGRAM FOR THROTTLING DATA TRANSFER

the specification of which (check one)

X is attached hereto.

\_\_\_\_\_ was filed on \_\_\_\_\_

as Application Serial No. \_\_\_\_\_

and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

_____ None _____	_____ Yes _____	_____ No _____
(Number)	(Country)	(Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____ None _____	_____ _____	_____ _____
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code, Section 119(c) of any United States provisional application(s), listed below:

_____ None _____	_____ _____	_____ _____
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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I hereby appoint the following practitioners as my/our attorneys and/or agents to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

David W. Victor, Reg. No. 39,867; William K. Konrad, Reg. No. 28,868; Gary D. Mann, Reg. No. 34,867; Alan S. Raynes, Reg. No. 39,809; Rabindranath Dutta, Reg. No. 51,010; Janaki Komanduri Davda Reg No. 40,684; Jean M. Barkley, Reg. No. 39,541; Allen K. Bates, Reg. No. 50,276; Randall J. Bluestone, Reg. No. 40,518; Bryan W. Butler, Reg. No. 44,043; Dale M. Crockatt, Reg. No. 35,109; William D. Gill, Reg. No. 44,124; John E. Hoel, Reg. No. 26,279; John H. Holcombe, Reg. No. 20620; Christopher A. Hughes, Reg. No. 26,914; John C. Kennel, Reg. No. 48,562; Edward A. Pennington, Reg. No. 32,588; Abdolreza Raissinia, Reg. No. 38,686; Paik Saber, Reg. No. 37,494; and Robert Sullivan, Reg. No. 39,391.

Send correspondence to:

David Victor, Esq  
315 South Beverly Dr., Ste. 210  
Beverly Hills, CA 90212

Direct all telephone calls to David Victor at (310) 553-7977

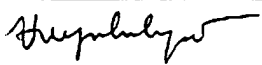
<b>FULL NAME OF INVENTOR ONE: Jeffery Michael Barnes</b>	
<b>INVENTORS SIGNATURE:</b>	<b>DATE:</b>
<b>RESIDENCE: 10441 E. Rose Hill Street, Tucson, Arizona 85747</b>	
<b>CITIZENSHIP: United States</b>	
<b>POST OFFICE ADDRESS: same as residence</b>	

<b>FULL NAME OF INVENTOR TWO: Brian Jeffrey Corcoran</b>	
<b>INVENTORS SIGNATURE:</b>	<b>DATE:</b>
<b>RESIDENCE: 1625 West Oak Shadows Drive, Oro Valley, Arizona 85737</b>	
<b>CITIZENSHIP: United States</b>	
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<b>FULL NAME OF INVENTOR THREE:</b> James Chien-Chiung Chen	
<b>INVENTORS SIGNATURE:</b>	<b>DATE:</b>
<b>RESIDENCE:</b> 5899 North Kolb Road, #E11161, Tucson, Arizona 85750	
<b>CITIZENSHIP:</b> United States of America	
<b>POST OFFICE ADDRESS:</b> same as residence	

<b>FULL NAME OF INVENTOR FOUR:</b> Minh-Ngoc Le Huynh	
<b>INVENTORS SIGNATURE:</b> 	<b>DATE:</b> 11/18/03
<b>RESIDENCE:</b> 6367 Pearlroth Drive, San Jose, California 95123	
<b>CITIZENSHIP:</b> United States	
<b>POST OFFICE ADDRESS:</b> same as residence	

<b>FULL NAME OF INVENTOR FIVE:</b> Frederick James Carberry II	
<b>INVENTORS SIGNATURE:</b>	<b>DATE:</b>
<b>RESIDENCE:</b> 9332 N. Indian Summer Drive, Tucson, Arizona 85743	
<b>CITIZENSHIP:</b> United States	
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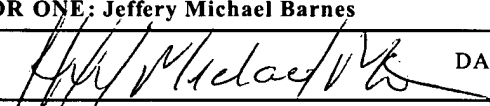
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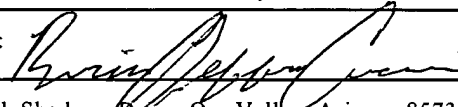
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AZ  
85743  
J.C.

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INVENTORS SIGNATURE: <i>Frederick James Carberry II</i>	DATE: 18 NOV 03
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